Entered -09/05/08 - sbCL 08L0781 - LISA CARTER

CLAIM OF: TREMAYNE MCREYNOLDS

through her attorney, **Precious Anderson-Scott** 44 Broad Street, NW Suite 800

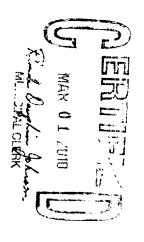
Atlanta, Georgia 30303

10- \not **-0339**

For damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on July 15, 2008 at 277 Pharr Road, NE.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to TREMAYNE MCREYNOLDS, through her attorney, Precious Anderson-Scott the sum of \$6,500.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on July 15, 2008 at 277 Pharr Road, NE as is more particularly set forth in the within claim; said sum taken from and charged to account 5051.170201.5750002.4310000.



APPROVED:

ROGER BHANDARI **ACTING CITY ATTORNEY**

BY:

JEBRY L. DELOACH DEPUTY CITY ATTORNEY **FAVORABLE REPORT**

PUBLIC SAFTEY &

LEGAL ADMINISTRATION COMMITTEE

DATE



MUNICIPAL CLERK ATLANTA, GEORGIA

10-R-0339

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to Tremayne McReynolds through her attorney Precious Anderson -Scott the sum of \$ \$6,500.00 as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on July 15, 2008 at 277 Pharr Road NE as is more particularly set forth in the within claim; said sum taken from and charged to Account 5051/170201/5750002/4310000.

Deputy Clerk

ADOPTED by the Atlanta City Council APPROVED by Mayor Kasim Reed

MAR 01, 2010 MAR 09, 2010

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. <u>08L0781</u>	Date: February 4, 2010
Claimant /Victim TREMAYNE MCREYNOLDS	
BY:(Atty)(Ins.Co.) Precious Anderson-Scott	
Address: 44 Broad Street, NW Suite 800 Atlanta George	pia 30303
Subrogation: Claim for Property damage \$ Date of Notice: 09/02/08 Method: Writte Conforms to Notice: O.C.G.A. §36-33-5 X Date of Converge of O.7/15/08 Physical Property of O.7/15/08 Physical Physica	Bodily Injury \$ 40,000,00
Date of Notice: 09/02/08 Method: Writte	n, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X	Ante Litem (6 Mo.) X
Date of Occurrence <u>07/15/08</u> Place: <u>277 Pharr Road</u> Department <u>Watershed Management</u> Bureau: <u>Drink</u>	d, NE
Department Watershed Management Bureau: Drink	ting Water Office:
Employee involved Disciplinary Ac	tion:
NATURE OF CLAIM: The claimant alleges that he susta water meter at 277 Pharr Road, NE. An investigation determined the city did not have actual notice of the problem, the defective should have known and corrected it.	ermined that although a search of city records shows that
INVESTIGATION:	
Statements: City employee Claimant	Others Written Oral
Statements: City employee Claimant Pictures _X Diagrams Reports: Police	X Dept Report X Other
Traffic citations issued: City Driver	Claimant Driver
Traffic citations issued: City DriverCitation disposition: City Driver	Claimant Driver
BASIS OF RECOMMENDATION:	
Function: Governmental More than Six Months Offer rejected Repair/replacement by Ins. Co	Ministerial X
Improper Notice More than Six Months	Other Damages reasonable
City not involved Offer rejected	Compromise settlement X
Repair/replacement by Ins. Co.	Repair/replacement by City Forces
Repair/replacement by Ins. Co. Claimant Negligent City Negligent X	JointClaim Abandoned
	Respectfully submitted,
	INVESTIGATOR - LISA CARTER
RECOMMENDATION:	
Pay \$ 6,500.00 Adverse Account charged: Ger	neral Fund Water & SewerXAviation
Claims Manager:	Concur/date 0Z/10/Cd
Committee Action:	Council Action
/	

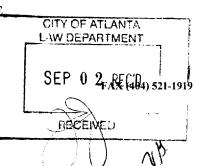
THE ANDERSON FIRM, LLC

A LEGAL & BUSINESS BOUTIOUE THE GRANT BUILDING, SUITE 800 44 BROAD STREET, NW

ATLANTA, GEORGIA 30303 www.theandersonfirm.com

TEL (404) 521-1111

August 20, 2008



VIA CERTIFIED MAIL RECEIPT # 7007 0710 0003 0418 4972

Atlanta City Hall

Honorable Mayor Shirley Franklin & The City Counsel of Atlanta

55 Trinity Avenue, SW Atlanta, Georgia 30303 ENTERED - 9-5-08 - SB

08L0781 - L. CARTER

Re:

Our Client:

Tremayne McReynolds

Date of Accident: Your Incident No. July 15, 2008 0819 7199-00

Dear Mayor Franklin and Council Members:

Please be advised that Mr. Tremayne McReynolds has retained our firm to represent him in regards to the injury Mr. McReynolds sustained in the City of Atlanta. Mr. McReynolds was severely injured when he was tripped by the water meter access hole that was uncovered in front of 277 Pharr Road NE which is owned, provided, and maintained by the City of Atlanta. This letter is written pursuant to O.C.G.A. 36-33-5 to provide timely notice to the City of our clients' claims.

On July 15, 2008, Mr. McReynolds was walking on Pharr Road to, as a part of his promotion business, encourage restaurant customers to try a Bistro and Bar along Pharr Road. As Mr. McReynolds approached the Atlanta Fish Market, his foot got caught in the uncovered access hole and he was seriously injured. He suffered a serious injury to his leg and his ankle and is still undergoing medical treatment. Due to his injuries, he has been unable to return to his employment. Mr. McReynolds is expected to incur additional medical expenses in connection with his injuries, as well as loss of future income and earning capacity. Furthermore, Mr. McReynolds has and continues to suffer a loss of consortium with his wife.

Should you have any questions, please contact our office at (404) 521-1111.

Sincerely.

Catherine Y. Gibson

AUG 26 7008

RCS# 99 3/01/10 2:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 2
ABSENT 0

Y	Smith	NV	Archibong	Y	Moore	E	Bond
E	Hall	Y	Wan	NV	Martin	Y	Watson
Y	Young	Y	Shook	Y	Bottoms	Y	Willis
Y	Winslow	Y	Adrean	Y	Sheperd	NV	Mitchell

		03-01-10
ITEMS ADOPTED ON	ITEMS ADOPTED ON	ITEMS ADVERSED
CONSENT	CONSENT	ON CONSENT
1. 10-O-0275	36. 10-R-0350	42. 10-R-0356
2. 10-O-0276	37. 10-R-0351	43. 10-R-0357
3. 10-O-0277	38. 10-R-0352	44. 10-R-0358
4. 10-O-0278	39. 10-R-0353	45. 10-R-0359
5. 10-O-0279	40. 10-R-0354	46. 10-R-0360
6. 10-O-0289	41. 10-R-0355	47. 10-R-0361
7. 10-O-0290		48. 10-R-0362
8. 10-O-0291		49. 10-R-0363
9. 10-O-0292		50. 10-R-0364
10. 10-O-0293		51. 10-R-0365
11. 10-O-0294		52. 10-R-0366
12. 10-O-0296		53. 10-R-0367
13. 10-O-0241		54. 10-R-0368
14. 10-O-0307		55. 10-R-0369
15. 10-R-0334		56. 10-R-0370
16. 10-R-0335		57. 10-R-0371
17. 10-R-0390		58. 10-R-0372
19 10-R-0395		59. 10-R-0373
20. 10-R-0407		60. 10-R-0374
21. 10-R-0411		61. 10-R-0375
22. 10-R-0394		62. 10-R-0376
23. 10-R-0396		63. 10-R-0377
24. 10-R-0338		64. 10-R-0378
25. 10-R-0339		65. 10-R-0379
26. 10-R-0340		66. 10-R-0380
27. 10-R-0341		67. 10-R-0381
28. 10-R-0342		68. 10-R-0382
29. 10-R-0343		69. 10-R-0383
30. 10-R-0344		70. 10-R-0384
31. 10-R-0345		71. 10-R-0385
32. 10-R-0346		
33. 10-R-0347		
34. 10-R-0348 35. 10-R-0349		
33. IU-K-U349		
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